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PTO/SB/61 (10-05)
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### Docket Number (Optional) PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a) AUS920010030US1 Art Unit: 2163 First Named Inventor: Michael Cooper Application Number: 10/042,007 Examiner: Alford W. Kindred Filed: 01/08/2002 Title: Automatically Populating an Application's Working Directory With Files Having A Specified Type From Other Directory Locations Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United Sates Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION. NOTE: A grantable petition requires the following items: (1) Petition fee. (2) Reply and/or issue fee. Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and Adequate showing of the cause of unavoidable delay. 1. Petition fee Small entity - fee \$ \_\_\_ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1,27. Other than small entity – fee \$ //O.O. (37 CFR 1.17(I)). Reply and/or fee The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify the type of reply): Reply and Amendment has been filed previously on \_ is enclosed herewith. The issue fee of \$ \_ has been filed previously on\_ is enclosed herewith.

This collection of information is required by 37 GFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 GFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form end/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)	
3. Terminal disclaimer with disclaimer fee	
Since this utility/plant application was filed on or after June 8.	1995, no terminal disclaimer is required.
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for other than a small entity) disclaiming herewith (see PTQ/SB/63).	\$ for a small entity or the required period of time is enclosed
4. An adequate showing of the cause of the delay, and that the entire delay in f for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was	
WARNING:	
Petitioner/applicant is cautioned to avoid submitting personal information in a that may contribute to identity theft. Personal information such as soc numbers, or credit card numbers (other than a check or credit card author payment purposes) is never required by the USPTO to support a petition or a information is included in documents submitted to the USPTO, petitioners/such personal information from the documents before submitting them to advised that the record of a patent application is available to the public after a non-publication request in compliance with 37 CFR 1.213(a) is made in the Furthermore, the record from an abandoned application may also be available referenced in a published application or an issued patent (see 37 CF authorization forms PTO-2038 submitted for payment purposes are not therefore are not publicly available.	cial security numbers, bank account ization form PTO-2038 submitted for an application. If this type of personal applicants should consider redacting the USPTO. Petitioner/applicant is publication of the application (unless a application) or issuance of a patent. able to the public if the application is R 1.14). Checks and credit card retained in the application file and
Marine Suith Wanters	February 2,2006
Signature	Date
Marilyn Smith Dawkins	31,140
Typed or printed name	Registration Number, if applicable
International Business Machines Corporation	512-823-0094
Address IP Law Dept., 11400 Burnet Road, Austin, Texas 76758	Telephone Number
Address	
Endosure 🔀 Fee Payment	
⊠ Reply	
Terminal Disclaimer Form	
Additional sheets containing statements establishing unavoidable delay	
CERTIFICATE OF MAILING OR TRANSMISSION (3	7.050.4.0(-))
I hereby certify that this correspondence is being:  deposited with the United States Postal Service on the date shown be class mail in an envelope addressed to Mail Stop Petition, Commiss Alexandria, VA 22313-1450.	elow with sufficient postage as first
transmitted by facsimile on the date shown below to the United States (571) 273-8300.    OFFICE   Factor     Date   Patsy Spears	en_
	person signing certificate

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# PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED **UNAVOIDABLY UNDER 37 CFR 1.137(a)** NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay. Signature Marilyn Smith Dawkins Typed or printed name Registration Number, if applicable (In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.) In the Final Office Action dated 06/17/2005, the examiner allowed claims 8-18 and objected to claims 2-6 as being dependent upon a rejected base claim. However, In this rejection, the examiner also objected to claim 1 stating that "Claim 1 contains the phrase 'target directory with cache file...' when it should be 'target directory with a cache file." It became obvious to Applicants' attorney that the examiner had misinterpreted the claims since there is no mention of a cache in any of the claims. The examiner misread the word "each" for "cache". Since such a misinterpretation could also affect the interpretation of the other claims and application of the art thereto, Applicants' attorney called the examiner on 08/17/05 to point out the examiner's error and that a new Examiner's Action should be sent. Because, the examiner had based his final rejection on an erroneous reading of the claims, during that interview, it was agreed that the examiner would do an examiner's amendment incorporating claim 4 into claim 1. On 10/06/05 Applicants' attorney again talked with the Examiner about the conversation on 08/17/05. The examiner requested an email to that effect, so an email was sent on 10/10/2005, stating that the examiner's amendment should cancel clams 4, 7, 19-21 and amend claim 1 with claim 4 as shown. On 10/12/05, the examiner stated in an email that he had received the information and would act on it either that day or the next. Although that never happened, it was Applicants' belief that it would. (Please attach additional sheets if additional space is needed.)